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FINAL RECORD OF THE SIX HUNDRED AND SEVENTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 17 March 1994 at 9.30 a.m.

President: Mr. Wolfgang Hoffmann (Germany)

GE.94-60695 (E)

The PRESIDENT: I declare open the 675th plenary meeting of the Conference on Disarmament.

Let me first make some remarks. My presidency is coming to an end. This will be the last plenary session I have the honour to chair and I take this opportunity to make some brief remarks.

First of all, I want to state that presiding over the Conference on Disarmament during the last few weeks, beside the honour associated with this mandate, has given me a good deal of pleasure. I should like to thank all of you for your cooperation and readiness to assist me in situations which have sometimes been difficult. The prevailing spirit of trying to solve problems in a constructive manner has rendered my task easier. I also should like to thank the Secretary-General of our Conference and his collaborators for their efforts.

Despite our intensive efforts, it has not been possible so far to solve the painful problem of expansion of the CD and it is only meagre consolation for me to be in this unfortunate situation with my two predecessors Ambassador Errera and Ambassador Zahran to whom I should like to pay tribute for the outstanding work they accomplished as CD Presidents. I should like to remind colleagues that we need to solve this problem rather soon if we do not want to risk jeopardizing the universal role of the Conference on Disarmament. In this respect, I only can subscribe to the closing remarks of my predecessor, Ambassador Errera, one month ago.

To put it quite bluntly, we are in a deadlock situation. Any formula, any proposal floated in the last weeks, has failed to command consensus within the groups. I cannot however resign myself to this situation which is unbearable to all those States which deservedly aspire to become full-fledged members of this Conference. As we are not even able to agree on the question of a Special Coordinator, to follow up this problem, I feel entitled to use my role as a chairman; and after appropriate consultations I have decided to appoint a Friend of the Chair to deal with this question. I therefore present to you as Friend of the Chair Ambassador Lampreia of Brazil for the membership question. The basis for his endeavour will be the O'Sullivan list but he will of course be open to all other proposals. I thank Ambassador Lampreia for his preparedness to accept this rather thankless task. As I do not really expect Ambassador Lampreia in spite of his abilities to solve the problem of expansion of membership in the remaining days of my presidency, that is to the end of this week, I held consultations with my successors in this office, Ambassadors Boytha of Hungary, Chandra of India and Brotodiningrat of Indonesia who have agreed to accept Ambassador Lampreia as their respective Friend of the Chair. Thus, we will create some continuity in the handling of the membership question. Should we in the meantime be able to agree on a mandate, the status of the Friend of the Chair could be transformed into that of a Special Coordinator.

I have confidence that Ambassador Lampreia will eventually come up with a consensus solution. For my part I will give Ambassador Lampreia any assistance he might need to succeed in his endeavour. I call upon all delegations to cooperate with Ambassador Lampreia with a view to solving this long-standing issue. Does Ambassador Lampreia wish to take the floor? He does, he has the floor.

Mr. LAMPREIA (Brazil): I am honoured by your words and by your confidence in me and in my delegation. You will understand when I say I am reluctant to say that I am grateful, because I am very much conscious of the delicacy and the difficulties involved in this task. I have, however, felt that it is the duty of the Brazilian delegation to accept this designation because we genuinely wish to assist you and the Conference on Disarmament in trying to overcome the impasse we have reached in our consideration of this very relevant issue.

We are moved by our full conviction that in order to preserve the Conference on Disarmament's legitimacy as a negotiating forum and enhance its prospects of achieving significant results, its membership must adequately reflect the new realities of the world. We are also moved by our perception that this understanding is shared by all the members of the Conference and that there is a common wish of reaching an agreement. Of course, agreements require compromises and we are hopeful that delegations can show flexibility in this regard.

I have, if I may add a personal note, gone through the first expansion of the Conference in 1969 and 1970 when we evolved from the original 18 into the 24 and, therefore, I am fully aware of all the pitfalls and all the very complicated situations there are. This is why I think that the only way to try and solve this riddle is to be very much open, very much receptive and that is what I plan to do in accomplishing the task that you have asked me to perform.

We will be receptive to any proposals, procedural or substantive, that fall in line with the basic ideas we have exchanged over the past months. Of course, those ideas are essentially embodied in the report of Ambassador O'Sullivan. Therefore, in concluding these remarks, I can only say that we do look forward to direct consultations with all interested parties and pledge our utmost cooperation in trying to come to a successful solution.

Mr. MARIN BOSCH (Mexico) (translated from Spanish): The Conference on Disarmament has been considering the issue of the expansion of its membership for over a decade. Innumerable formulas and proposals have been explored. The Conference continues to arouse great interest among a sizeable number of countries participating as observers. In order to comply with their requests and arrive at a membership better reflecting the new world situation, a Special Coordinator was appointed last year. Following lengthy and intensive consultations with the members of the Conference, the Special Coordinator, Ambassador Paul O'Sullivan of Australia, achieved positive results. For reasons known to us all, the list of 23 countries submitted in his report last year has not yet been accepted by the Conference. We nurture the hope that it will be accepted in the very near future. In the meantime, my delegation is gratified at

(The President)

the designation of Ambassador Luiz Felipe Lampreia of Brazil as a Friend of the Chair on this issue. The delegation of Mexico interprets the mandate that you have conferred upon him to mean that the list of 23 countries will be respected. The aspirations and, I would add, the right of these countries to join the CD as soon as possible as fully-fledged members have already been recognized by all.

The PRESIDENT: Thank you very much. Does any other delegation wish to take the floor in this context? I see none. Then I move to the list of speakers for today.

I have on the list of speakers the representatives of the United States of America and Japan. I give the floor to the representative of the United States of America, Ambassador Ledogar.

Mr. LEDOGAR (United States of America): Last July President Clinton extended the United States moratorium on nuclear-weapon testing through September 1994. Last August he stated in a report to the United States Congress that he would decide in 1994 whether to extend the moratorium beyond September. He said that his decision would take into account the status of the CTBT negotiations and the willingness of other nuclear Powers to show reciprocal restraint in forgoing nuclear testing.

The United States continued its moratorium, even after China conducted a nuclear test last 5 October. The President, however, did direct the United States Department of Energy to take such actions as were needed to put the United States in a position to be able to conduct nuclear tests in 1994, provided our legislative requirements had been met. The President said his decision on whether to test would be based on fundamental United States national security interests, and would take these four factors into account: the contribution further tests would make to improving the safety and reliability of the United States nuclear arsenal in preparation for a CTBT; the extent to which China and others have responded to the United States appeal for a global moratorium on testing; progress in the CTBT negotiations; and finally the implications of further United States nuclear tests on our broader non-proliferation objectives.

In accordance with existing United States legislative requirements, the President this month made a report to the Congress, in which he addressed these four points. Regarding the first point, safety and reliability, the report concluded that United States nuclear weapons are safe and reliable. Additional tests could help us prepare for a test ban and could provide for some additional improvements in safety and reliability. However, these benefits would be outweighed by the price we would pay in undercutting our own non-proliferation goals. Regarding the second point, the response to our appeal for a global moratorium has been positive, with one exception, the Chinese test in October 1993. The United States will continue to urge China to refrain from further testing.

(Mr. Marín Bosch, Mexico)

Regarding the third point, progress in CTBT negotiations, the United States is encouraged by progress to date. The CD has established an ad hoc committee and its two working groups. There have been extensive discussions of substantive issues, and detailed presentations on techniques we will need to consider in reaching decisions on the verification regime. We have discussed the overall structure of the treaty and what elements might be included. And we have begun the important process of tabling and discussing treaty text. There is much yet to do, as we all realize, but my delegation continues to look forward to concluding a CTBT at the earliest possible time.

Regarding the fourth and final point, implications on our broader non-proliferation objectives, the United States continues to believe that a global moratorium on testing will put us in the strongest possible position to negotiate a CTBT, to work for indefinite extension of the nuclear non-proliferation Treaty in 1995, and to discourage other nations from developing their own nuclear arsenals.

Accordingly, taking all these factors into account, the President has decided to extend the moratorium on United States nuclear testing through September 1995. In this regard, I would like to read for the record a statement by the White House Press Secretary, dated two days ago, 15 March 1994:

> "The President informed Congress yesterday (March 14, 1994) that he was extending the moratorium on nuclear testing by the United States through September 1995.
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> "The President's decision was based on fundamental U.S. national security interests, weighing the contribution further tests would make to improving the safety and reliability of the U.S. arsenal in preparation for a Comprehensive Test Ban (CTB) against:
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> -- the restraint the other declared nuclear powers have shown in not responding to China's nuclear test last October with tests of their own;
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> -- the encouraging progress recorded in the CTB negotiations since they formally opened on January 25;
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> -- and, the adverse implications further U.S. nuclear tests would have on our broader non-proliferation objectives, including, most notably, our interest in securing the indefinite extension of the Nuclear Non-Proliferation Treaty next year.
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> "The President will decide next year whether to extend the moratorium beyond September 1995, taking into account the same four factors noted above."

I have asked that the White House statement I just read be circulated as an official CD document.

(Mr. Ledogar, United States)

The PRESIDENT: Thank you, Ambassador Ledogar, for this important statement. I have received your document and I have asked the secretariat to duly circulate it. I now give the floor to the representative of Japan, Ambassador Tanaka.

Mr. TANAKA (Japan): Today I have taken the floor to express, at this time, Japan's views on the CTBT negotiations.

On 3 February, in the plenary meeting of the CD, I already introduced our preliminary views on some of the basic elements of the treaty. Since then, two working groups have duly been established and we have entered the phase of serious negotiations on a CTBT by engaging ourselves in discussions and debates on substantive matters. Therefore, my delegation finds it opportune if we can further elaborate our views on a CTBT in the light of what has already been made clear and would be debated in the near future.

Before going to my today's subject, I would like to welcome the decision made by the United States of America to extend the nuclear test moratorium through September 1995 which was announced on 15 March by the White House and was just introduced by Ambassador Ledogar. A right decision was made at a right moment. It will certainly serve favourably to the negotiations on CTBT in the CD.

Let me make clear our basic attitude on a CTBT. The treaty we are negotiating should be universal, and internationally and effectively verifiable. It should also be non-discriminatory, and the adherence not only of the nuclear-weapon States but also of nuclear threshold countries would be crucial to the CTBT. In order to successfully accomplish the negotiations in a prompt way, it would be advisable to take fully into account the CWC, PTBT and other existing treaties and make articles as clear and succinct as possible. The CTBT should establish a truly reliable and a cost-effective verification regime which can systematically benefit from the utilization of already existing facilities and national verification systems as much as possible. In conducting our negotiations, we should not lose sight of the fact that there is a considerable knowledge gap between the nuclear-weapon States and non-nuclear-weapon States and that both nuclear explosion technologies including those for evasion and verification technologies are of incessantly evolutionary nature. It is not appropriate to set artificial deadlines but we consider it desirable to be able to reach a stage, by spring 1995, where we can have a prospect of a successful conclusion of the treaty negotiations at hand.

Now let me turn to the contents of the treaty on which we are negotiating. First, I would like to make it clear that the purpose of the treaty is twofold: nuclear disarmament and nuclear non-proliferation. We cannot accept a choice of either of them. Both form the ultimate goal of the treaty.

(Mr. Ledogar, United States)

Second, the scope of the treaty should be total prohibition of any nuclear explosion in any environment without any exception. With regard to its preparation, the word "prevent" means, in our view, that the State party should ensure the prohibition of the preparation of any nuclear explosions by natural or legal persons, so we can dissipate our concern over the preparation for an imminent test by using the word "prevent", as in the case of PTBT. It will also be possible to set a clause, according to which consultation or clarification can be sought by any State party in case a doubtful situation emerges.

Third, a definition clause is not necessary, we are of the opinion that by today the concept of a nuclear explosion has been more or less established. Discussion on definition may only lead our negotiations into an endless circuit. On the other hand, it should be made clear that any State party should not be hampered from promoting research, production and use of nuclear energy for peaceful purposes, which are not designed to be released in an uncontrolled way. Concerning the obligations imposed on States parties to prohibit natural or legal persons' activities of certain categories, the CTBT should take the approach of enumerating each activity of natural or legal persons to be prohibited. Otherwise, the contents of prohibition regarding natural or legal persons will become less clear and the States parties will have difficulty in setting those obligations in the form of national legislation.

Fourth, the duration of the treaty should be indefinite.

Fifth, as for compliance and settlement of disputes, we can follow the examples set forth in articles 9, 12 and 14 of the CWC and establish relevant articles on clarification, consultation, procedures of settlement of disputes, and the involvement of the United Nations Security Council.

Sixth, on verification. Whether the forthcoming CTBT will be a worthy one or not, it all depends on the verification system. Verification of a nuclear explosion is a relatively easy task but at the same time no single verification means is perfect to detect all those explosions. Yet, we can anticipate steady technological progress in the field of verification so that in the future more exhaustive types of verification system can be introduced. Therefore, a realistic verification system can be envisaged in a form of a package of different verification means with a possible introduction, in the future, of more advanced and efficient means. Seismological verification network forms the core of the verification system. The pressing question is how to transform the GSETT-3 experiment into the reliable verification system of the CTBT, as well as to ensure the successful implementation of GSETT-3 as is originally planned.

In considering the monitoring of radionuclides, the existing monitoring system implemented by IAEA, WHO, UNEP and others, as well as radionuclide monitoring conducted by many countries should be first evaluated fully.

With regard to on-site inspection, only a kind of challenge inspection, the naming of which may necessitate further consideration, should be considered.

(Mr. Tanaka, Japan)

This inspection will be triggered off when a member State party suspects a possible nuclear explosion and its request for on-site inspection is approved by the organization. The training of inspectors will be conducted by States parties either independently or within a framework of bilateral cooperation and the organization will keep lists of inspectors presented by each State party. At the same time, the possibility of using IAEA inspectors may be addressed.

For the sake of economy on verification system and also of the need to keep the military classified information, it would be wise to make as much use as possible of national technical means, including hydroacoustic means, satellites and others.

Seventh, the organization will be composed of a conference of States parties, a secretariat and an international data centre. The need to establish an executive council will be made clear only after we come to know how frequently the conference of the States parties can meet.

The secretariat should be of small size. In principle, the analysis and evaluation of data and information collected by the monitoring system or presented by States parties should be met by each State party. But the secretariat can be involved in the analysis and evaluation of data and information so long as this function will not necessitate unwieldy enlargement of the secretariat.

Eighth: entry into force. I have already addressed our view on the question in Working Group II. The CTBT, once it is established, should enter into force as soon as possible. It is very important that all the nuclear-weapon countries adhere to it and all the nuclear-capable countries become States parties to it. But it doesn't seem wise at this present time to admit to give any country or countries a power of veto. We think we can approach this question from a numerical point of view, for example 30 countries, but this question should be elaborated further by engaging ourselves in more detailed and thorough discussions.

The PRESIDENT: Thank you, Ambassador Tanaka, for this very valuable contribution. That concludes my list of speakers for today. Does any other delegation wish to take the floor at this stage? I give the floor to Iran and then to the United Kingdom.

Mr. BAIDI-NEJAD (Islamic Republic of Iran): As this is the first time my delegation takes the floor under your presidency, I would like to congratulate you on the assumption of the presidency of the Conference on Disarmament. Let me express the full satisfaction of my delegation at the manner you guided our work in the Conference. I will seize the opportunity to thank your predecessor, Ambassador Errera of France, for his tireless efforts in conducting the work of the Conference in the best manner.

(Mr. Tanaka, Japan)

Pursuant to the proposal made by my delegation at the CD plenary on 10 February 1994 regarding the expansion of membership of the Conference on Disarmament, in order to make the proposal more concrete and illustrative, I would suggest that the Conference takes the following decision on its expansion. First, the Conference on Disarmament decides that the following countries join the Conference as new members as of 16 May 1994: Austria, Bangladesh, Belarus, Cameroon, Chile, Colombia, Democratic People's Republic of Korea, Finland, New Zealand, Norway, Republic of Korea, Senegal, Slovakia, South Africa, Spain, Switzerland, Syria, Turkey, Ukraine, Viet Nam and Zimbabwe. Second, the Conference will consider the application for membership of the following States with a view to an early and appropriate decision: Croatia, Czech Republic, Ecuador, Greece, Iraq, Ireland, Israel, Kuwait, Malaysia, Portugal, Slovenia and Tunisia.

The Friend of the Chair on the question of expansion, the Ambassador of Brazil, who was just appointed by you, and whom I congratulate on his appointment, during his consultations with the member States, will explore the ways and means to implement this decision and report to the Conference before the end of its 1994 session.

The PRESIDENT: Thank you very much for this proposal. I am sure you will hand it in to the secretariat so that we can distribute it. Now I give the floor to the representative of the United Kingdom, Sir Michael Weston.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): For the record I would just like to say that the United Kingdom does not share the personal interpretation of the distinguished Ambassador of Mexico of the task given to Ambassador Lampreia, whom I congratulate and thank, with whom I commiserate and to whom I pledge my delegation's full support. In our view, the task should be as stated by you this morning, to be open to all proposals that have been made on this subject, and among those I would certainly include the proposal we have just listened to from the distinguished representative of Iran, and not just that of Ambassador O'Sullivan. It is still the preference of the United Kingdom that all those States who had applied for membership by last September should be admitted to the Conference.

Mr. DUBOIS (Canada) (translated from French): Simply on this question of expansion I wanted first of all to express full support for your initiative to designate a Friend of the Chair as a very desirable alternative to enable us to continue to consider this thorny issue. Secondly, I would like to reiterate my delegation's support for the way in which you briefly defined the tasks which await Ambassador Lampreia as a Friend of the Chair, namely, to use the O'Sullivan list as a basis and any other proposal which may be made. And in that context I just wanted to repeat, inter alia, the proposal as advanced by my delegation some time ago, namely, that expansion should include any State which has made an application for admission, which has requested admission to the Conference, at a specific date, a date that has yet to be determined. We also wish to assure

(Mr. Baidi-Nejad, Islamic Republic of Iran)

Ambassador Lampreia of our full cooperation in his highly sensitive and political task.

Mrs. BAUTA SOLES (Cuba) (translated from Spanish): Mr. President, allow me first of all, even though this is the last occasion on which you will be presiding over our work, to congratulate you and extend our gratitude to you and to your delegation for the manner in which you have discharged your duties in the Chair of the Conference on Disarmament. The item on the expansion of this Conference has been before us for some time, and we note with regret that at the end of your term as President and despite the steps you have taken, added to those of your predecessors, the matter is still without a solution, although the Conference was so close to one some months ago last summer. We should also like to associate ourselves with those who have commended your initiative to designate a Friend of the Chair to continue consultations to find a solution to this matter, and we consider that in this decision you could not have made a wiser choice than the designation of the distinguished Ambassador of Brazil, Ambassador Lampreia, to whom we pledge our cooperation as of now.

We have stated on other occasions, when the problem of expansion was considered, that our country supports the list offered to us by Ambassador O'Sullivan as a solution and almost unanimously accepted by this Conference. The support we give to this list does not derive simply from sympathy for the ceaseless efforts made by Ambassador O'Sullivan, or his personality, although he would on both accounts deserve it. It is derived basically because we understand that the balance and proportion stemming from the list proposed by Ambassador O'Sullivan are truly the only way out which will satisfy the interests represented at this Conference so as to be able to solve the problem of expansion of this forum, and I would like to extend the sympathy of our delegation to those observer delegations that have so patiently witnessed and become aware of and followed our hesitations regarding the solution to this matter. It is my understanding, like that of the distinguished Ambassador of Mexico, that seeking a solution based on the list of the proposal by Ambassador O'Sullivan will be the main task of the distinguished Ambassador Lampreia, your Friend for this difficult task.

The PRESIDENT: Thank you very much for your friendly words and for your contribution. Does anyone else wish to take the floor? If this is not the case let me now turn to the informal paper circulated by the secretariat, containing the timetable of meetings to be held next week by the Conference and its subsidiary bodies. This timetable has been prepared in consultation with the chairmen of the ad hoc committees. As usual, it is merely indicative and may be changed, if necessary. On that understanding, I suggest that we adopt it.

It was so decided.

(Mrs. Bauta Soles, Cuba)

The PRESIDENT: That concludes our business for today. Does any delegation wish to take the floor at this stage? If not, I intend to adjourn this plenary meeting. The next plenary meeting of the Conference will be held on Thursday, 24 March 1994 at 10 a.m.

The meeting rose at 10.20 a.m.